



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,618	05/13/2008	Walter Fursich	2003P05657WOUS	2044
22116 7590 10/09/2009 SIEMENS CORPORATION INTELLECTUAL PROPERTY DEPARTMENT 170 WOOD AVENUE SOUTH ISELIN, NJ 08830				
EXAMINER THOMAS, BRADLEY H				
ART UNIT 2835		PAPER NUMBER		
MAIL DATE 10/09/2009		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**ADVISORY ACTION**

***Response to Arguments***

1. Applicant's arguments filed 9/29/09 have been fully considered but they are not persuasive.

First, the Examiner respectfully submits that USPTO personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure (see *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997)) and that limitations appearing in the specification but not recited in the claim should not be read into the claim (see *E-Pass Techs., Inc. v. 3Com Corp.*, 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003)). Also, the Examiner would like to submit that the current claim language is open ended, since the term "comprising" is used in the preamble. The Examiner is aware that the specification makes reference to more specific structural elements, devices, etc. of the proposed invention, however, such limitations do not appear in the claims.

Regarding Applicant's argument on page 10 that Sumer et al. does not teach "push through openings", the Examiner respectfully disagrees. First, "push through openings" is a general term that does not require "breakout parts", as argued by Applicant on page 10. It is the Examiner's interpretation that a "push through opening" can merely be an opening in which an object is pushed through the opening. For example, in Sumer et al., wires 119, 124 and 131 are pushed through the area at 108 (see Figs. 1 and 2). Sumer et al. states at col. 3, lines 49-52 that "Wires 119 pass from compartment 116 through lead-out 108..." and at lines 61-64 that "Wires 124 pass

through lead-out 108...". If Applicant desires the "push through openings" to be limited to openings that "may be broken out by pushing on...the breakout" parts, such a limitation should appear in the claims.

Regarding Applicant's argument on page 10 that Sumer et al. does not teach "plug in devices", the Examiner respectfully disagrees. Sumer et al. states at col. 5, lines 7-9 that "Plug 147 is connected to circuit board 148, which is in turn connected to plug 149.". The claim language "...at least one first plug in device for a first extension printed circuit board..." (emphasis added) is broad, since the word "for" can imply any multitude of functions or relationships with the board. The Examiner respectfully submits that element 147 is a "plug in device" since Sumer et al. calls it a "plug" and Fig. 10 shows it to be a connector, which is meant to be plugged into or received by some type of mating receptacle. If Applicant intends, as argued on page 10, for the "Plug in devices" to be "configured to receive extension boards", such limitations should appear in the claims. If, as noted by Applicant from the Specification, the "extension circuit boards" are meant to be "plugged into the plug-in-devices", such a limitation should appear in the claims. The current claim language merely states that the plug in device is "for" the extension board(s), with no mention of a direct connected/plugged relationship between the two elements. The claim requires "a first extension printed circuit board" and a "plug in device" that is "for" the extension board. Sumer et al. teaches an extension board (148) that has a plug in device (147) that is "for" the extension board (148), since the plug in device (147) is connected to board 148. Thus, by being connected to board 148, it is, in the Examiner's opinion, "for" board 148.

Similarly, concerning Applicant's argument(s) on page 12 regarding claims 17-18 and specifically "a second plug-in device" and "a second extension board", Sumer et al. teaches a second plug in device (e.g. 149, 151) that is likewise "for" a second extension board (150). Sumer et al. teaches at col. 5 that the elements 149, 151 are connected to the board 150. If Applicant intends for the plug in device(s) and the extension board(s) to be directly connected to or plugged into each other, such a limitation should appear in the claims. The use of the word "for" does not automatically imply a direct physical connection. For example, if the plugs (e.g. 147, 149, etc.) of Sumer et al. are electrically connected to the boards (e.g. 148, 150) of Sumer et al, then it is the Examiner's belief that they are then "for" the boards, as required by the current claim language.

Regarding Applicant's argument on page 11 that Sumer et al. does not teach "interlocking by use of a tool", the Examiner respectfully disagrees. First, in *The Merriam-Webster Dictionary* from 2005, based on the Collegiate Edition (ISBN-13 978-0-8779-636-7 and ISBN-10 0-87779-636-X), a "tool" is defined on page 516 as "*a hand instrument that aids in accomplishing a task*", and an "instrument" is defined on page 257 as "*a means by which something is done*" (see attached dictionary pages). In view of those definitions, the Examiner believes that a human finger can be classified as a "tool". Sumer et al. teaches in col. 6 how a user opens/closes the devices with their finger(s). The Examiner would also like to note that Applicant's Specification makes reference to "a mechanical tool" (emphasis added, see [0019]), while the claims only require a "tool". Applicant is suggested to claim a mechanical tool (as taught in the

specification) to avoid the Examiner's interpretation of a general "tool". Lastly, Applicant is reminded that the drawings must show every feature of the invention specified in the claims. Therefore, the "tool" must be shown or the feature(s) canceled from the claim(s). The Figures currently do not show a "tool".

In general, it is Applicant's responsibility to specify which limitations should appear in the claim (i.e. by inserting them into the claim language), especially in a claim which uses open-ended terms such as "comprising", as in the instant applicant. Also see *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969) and *In re Zletz*, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989).

In view of the above the FINAL rejection is maintained.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BRADLEY H. THOMAS** whose telephone number is (571)272-9089. The examiner can normally be reached on 7:00am - 3:30pm (Eastern).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash N. Gandhi can be reached on 571-272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BHT

/Jayprakash N Gandhi/

Supervisory Patent Examiner, Art Unit 2835